

**PATENT APPLICATION**

**RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER ART UNIT 2163**

*Approved*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*OK to enter*

In re the Application of

Lalit K. MESTHA et al.

Group Art Unit: 2163

*Thanks*

Application No.: 10/758,096

Examiner: W. LEE

*W2*

Filed: January 16, 2004

Docket No.: 116588

*3-28-08*

For: REFERENCE DATABASE AND METHOD FOR DETERMINING SPECTRA USING  
MEASUREMENTS FROM AN LED COLOR SENSOR AND METHOD OF  
GENERATING A REFERENCE DATABASE

**REQUEST FOR RECONSIDERATION AFTER FINAL REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the December 31, 2007 Office Action, reconsideration in light of the following remarks is respectfully requested. Claims 1-6 and 15-18 are pending.

A. Applicants note with appreciation the allowance of claims 15-18, and the acknowledgement of allowable subject matter in claims 2-3.

B. The Office Action rejects claims 1 and 4-6 under 35 U.S.C. §103(a) over U.S. Patent No. 6,587,793 to Viassolo et al. (Viassolo) in view of "the terms definition cited in Microsoft Press Computer Dictionary." The Office Action notes that Viassolo is applied under 35 U.S.C. §102(e). However, as noted in Applicants' previous response, Viassolo and the claimed invention were commonly owned, or subject to an obligation of assignment to the